

Message Text

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73

ACTION L-03

INFO OCT-01 AF-08 ISO-00 JUSE-00 EB-07 COME-00 TRSE-00

CIAE-00 INR-07 NSAE-00 /026 W
----- 024511

R 210400Z APR 76

FM AMEMBASSY MOGADISCIO

TO SECSTATE WASHDC 3805

LIMITED OFFICIAL USE MOGADISCIO 0672

E.O. 11652: N/A

TAGS: PGOV, PFOR, SO

SUBJECT: FOREIGN LAWS ON QUESTIONABLE PAYMENTS: SOMALIA

REF: A) STATE 94647, B) 75 MOGADISCIO 1617, C) 75 MOGADISCIO A-105

1. ANSWERS TO QUESTIONS CONTAINED REFTEL A) ARE AS FOLLOWS:

QUESTION 2 A -- YES, ARTICLES 244 THROUGH 251 OF THE SOMALI PENAL CODE ESTABLISH PUNISHMENT FOR PUBLIC OFFICERS OR PERSONS ENTRUSTED WITH PUBLIC SERVICE WHO SOLICIT, GIVE OR RECEIVE MONIES. PENAL CODE ALSO DESCRIBES PUNISHMENTS FOR PERSONS WHO OFFER MONEY TO PUBLIC OFFICER.

QUESTION 2 B -- NO.

QUESTION 2 C -- YES. IN JULY 1975 SOMALI GOVT ABOLISHED FOREIGN COMMERCIAL AGENCIES AND WITHDREW ALL LICENSES IN FAVOR OF OFFICIAL GOVERNMENT AGENCY WHICH IS ONLY AUTHORITY TO COLLECT COMMISSION FEES. STATE EMPLOYEES OF AGENCY ARE SUBJECT TO SOMALI PENAL CODE DESCRIBED ABOVE.

QUESTION 2 D AND E: -- NO.

QUESTION 2 F -- AS PRACTICAL MATTER, IN SOMALIA THERE IS NO CORPORATE DECISION-MAKING PROCESS APART FROM THAT OF GOVERNMENT. SOMALI GOVT OFFICIALS AND CIVIL SERVANTS STAFF ALL
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PARASTATALS (I.E., SUGAR MILL, TEXTILE PLANTS, ETC.) OF ANY

SIGNIFICANCE.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: BRIBERY, LAW, FOREIGN INVESTMENTS, COUNTRY INFORMATION PROGRAMS
Control Number: n/a
Copy: SINGLE
Draft Date: 21 APR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: coburnhl
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976MOGADI00672
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760150-0421
From: MOGADISCIO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760439/aaaabhav.tel
Line Count: 63
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION L
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 STATE 94647, 76 MOGADISCIO 1617, 76 MOGADISCIO A-105
Review Action: RELEASED, APPROVED
Review Authority: coburnhl
Review Comment: n/a
Review Content Flags:
Review Date: 30 JUN 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <30 JUN 2004 by ShawDG>; APPROVED <14 OCT 2004 by coburnhl>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: FOREIGN LAWS ON QUESTIONABLE PAYMENTS: SOMALIA
TAGS: PGOV, PFOR, SO
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006